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Office Action

Patent Application Number: 0181028/2001  
Drafting Date: July 15, 2003  
Examiner of the Patent Office: Takahiko Tooyama 9855 5J00  
Agent for the Applicant: Yasuo Sakuta  
Applicable Article: Paragraph 2 of Article 29

The present application should be rejected for the following reason. If the applicant has an opinion on the examiner's reason for rejection, the applicant can file an argument within 60 days from the mailing date of this office action.

#### Reason for rejection

Because the inventions claimed in the following claims of the present application could be easily made before its filing by a person having common knowledge in the technical field of the inventions on the basis of the inventions disclosed by the following publications distributed in Japan and abroad, they are deemed unpatentable in accordance with Paragraph 2 of Article 29 of the Patent Law.

(For cited references, refer to the list of cited references.)

- Claims 1 to 3
- Cited references 1 to 3
- Remarks

When the inventions claimed in Claims 1 to 3 of the present application are compared with the invention described in Reference 1, they are different in the following points. While optical amplification is made in the inventions of the present application, regenerating/repeating is performed in the invention described in Reference 1. While the inventions of the present application use an optical supervisory signal with a wavelength of approximately 1.48  $\mu\text{m}$ , Reference 1 has no such mention. While a supervisory signal carries monitoring information and control information for

subsequent devices in the inventions of the present application, a supervisory signal carries monitoring information in the invention described in Reference 1. Reference 2 concerns a technique that an optical supervisory signal with a wavelength of approximately 1.48  $\mu\text{m}$  is used and Reference 3 concerns a technique that an optical amplifier is used and a supervisory signal carries monitoring information and control information for subsequent devices. Since all the inventions described in References 1 to 3 concern optical communication systems including optical transmitters, no particular difficulty is found in adopting the inventions described in References 2 and 3 in the invention described in Reference 1 to make the inventions claimed in Claims 1 to 3 of the present application.

If a new reason for rejection is found, the applicant will be notified of it.

#### List of cited references

1. Japanese Unexamined Patent Publication No.083899/1982
2. Japanese Unexamined Patent Publication No. 022925/1992
3. Japanese Unexamined Patent Publication No. 014917/1992

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#### Record of prior art literature search result

Field of investigation: IPC Edition 7 H04B 10/00-10/28  
H04J 14/00-14/08

Prior art literature: Japanese Unexamined Patent Publication No. 029123/1992  
Japanese Unexamined Patent Publication No. 270520/1991  
Japanese Unexamined Patent Publication No. 214936/1991

This record of prior art literature search result does not constitute a reason for rejection.

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